REMARKS

Claim Status

Claims 1-9 are presented for examination, with claim 1 being the sole independent claim. Claims 1-8 have been amended. The amendments to claims 2-8 are minor corrections to the claim wording, and are cosmetic in nature. Support for the amendments to independent claim 1 may be found *inter alia* at pg. 11, lines 11-26, pg. 12, lines 15-16 and pg. 15, lines 5-7 of the originally filed specification, Figs. 1, 2 and 3A of the drawings and claim 1 as originally filed. No new matter has been added. Reconsideration of the application, as amended, is respectfully requested.

Overview of the Office Action

The drawings have been objected to based on the failure to show the label of each item number listed on FIGS. 1 and 2. Clarification of this objection is requested.

Claim 1 has been objected to based on an informality. Withdrawal of this rejection is in order, as explained below.

Claim 1 apparently stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Withdrawal of this rejection is in order, as explained below.

Claim 1 stands rejected under 35 U.S.C. §101 for providing an improper definition of a process claim. Withdrawal of this rejection is in order, as explained below.

Claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,829,044 ("*Sono*") in view of U.S. Patent Pub. 2003/0041284 ("*Mambakkam*").

Applicants have carefully considered the Examiner's rejections and the comments provided in support thereof. For the following reasons, Applicants respectfully assert that all

6

claims presented for examination in the present application are patentable over the cited references.

Amendments Addressing Section 112 Issues and Formalities

The Examiner objected to the drawings under 37 C.F.R. 1.83(a) "because they fail to show the label of each item number listed in Figures 1 and 2 as described in the specification". Applicants are unaware of any labels described in the speicification but missing from Figs. 1 and 2. Applicants respectfully request that the Examiner clarify this rejection by providing specific examples of the "missing" labels, at which time Applicants will amend the drawings, as appropriate.

The Examiner has objected to claim 1. According to the Examiner, "the following paragraph is vague 'said second control means stocks in said cache the electronic information which has been transmitted from said first control means and executes the first command in a stock order to record the electronic information on the second recording medium'".

In response to this objection, Applicants have amended independent claim 1 to recite "wherein the second control means stocks in the cache a plurality of the first commands and the respective electronic information associated therewith which have been transmitted from the first control means, and writes in the second recording medium the electronic information stocked in the cache by executing the plurality of first commands in the order in which they were stocked". Withdrawal of this objection is therefore requested.

Claim 1 apparently stands rejected under 35 U.S.C. §112, second paragraph. An explicit rejection has not been made. Specifically, the Examiner (pg. 3, paragraph 4 of the Office Action) states:

Claim 1 provides for the use of "second command", but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

With respect to the foregoing statement, Applicants respectfully assert that it appears a misconception with respect to the claimed subject matter has occurred. That is, the Examiner has interpreted the "second command" as a step of a method/process. However, claim 1 is directed to an apparatus claim, as indicated by the preamble thereof. In addition, claim 1 positively recites limitations associated with the claimed information processing apparatus.

Moreover, "second command" recited in amended independent claim 1 is a command signal or command data, but it does not constitute a step of a method/process. In any event, Applicants have amended claim 1 to recite "wherein the first control means transmits a second command which is different from the first command, and to which the second control means responds with a predetermined command, after transmitting to the second control means all electronic information to be written in the second recording medium". In view of the foregoing, amended independent claim 1 is definite and, thus, reconsideration and withdrawal of the rejection are requested.

Patentability of the Claims Under 35 U.S.C. §101

Claim 1 stands rejected under 35 U.S.C. § 101. In particular, the Examiner (pg. 4, paragraph 5 of the Office Action) contends:

> "[c]laim 1 is rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101.

8

With respect to the foregoing statement, Applicants respectfully wish to point out that independent claim 1 is an apparatus claim directed to an information processor. The preamble of independent claim 1 clearly recites the limitation "an information processing apparatus". Claim 1 is not directed to a process claim. Accordingly, Applicants respectfully assert that claim 1 is patentable under 35 U.S.C. §101, since it is clearly an "apparatus" claim that positively recites the elements associated therewith. Consequently, reconsideration and withdrawal of the rejection are in order.

Summary of the Subject Matter Disclosed in the Specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

Conventional interfaces, such as an ATA packet interface (ATAPI) or a small computer system interface (SCSI), generally exhibit a higher transfer rate than the speed at which information is written on, e.g., a magnetooptical (MO) disk. To maximize transfer speed, a high-speed recordable semiconductor memory called a cache is formed in the second unit when information is transferred from the first unit to the second unit (see pg. 3, lines 11-17 of the originally filed specification). Transferred information is temporarily stocked in the cache, and it is then written to the MO disk. After the information is written to an MO disk, the information in the cache is deleted. In accordance with this conventional method, even if information is transferred from the first unit to the second unit, information yet to be written to an MO disk may still remain in the cache. At this time, if a user erroneously removes the MO disk, information waiting to be written to the MO disk may be permanently lost. To prevent such loss of

information from occurring, the first unit must determine whether information has been written in the MO disk. With use of a general-purpose interface, such as an ATAPA or SCSI interface, it is difficult for such a general-purpose communication protocol to transfer special information such as the completion of writing information on the MO disk (see pg. 3, line 17 thru pg. 4, line 3 of the originally filed specification).

In view of the foregoing problems associated with the transfer of files over an ATAPA or SCSI interface, the disclosed technique is directed to providing an information processing apparatus that is capable of reliably transferring information while using a general-purpose interface.

Descriptive Summary of the Prior Art

Sono discloses a configuration of a multimedia data filing system (see col. 1, lines 1-5). *Sono* (col. 4, lines 38-41) teaches a first embodiment of the multimedia data filing system 1 of the above configuration in which all multimedia (mm) data including a still image, a motion picture image and sound are transferred to respective blocks through a data bus.

Sono (col. 4, lines 42-43) states, "a management program, a catalog file and a plurality of multimedia data are stored in a [hard drive disk (HDD) 4]". *Sono* (col. 4, lines 43-50) teaches that the management program manages or controls the multimedia data, and the catalog file stores retrieval information, associated information of data and attribution information including index image data or icon data by reduced still images representing general aspects for all multimedia data inputted to the multimedia data filing system and stored in the optical disk.

Sono (col. 4, lines 42-43) teaches that all multimedia data are recorded on the optical disk, and when all registration data cannot be recorded in one optical disk, a plurality of optical disks are selecting one-by-one and used to record all multimedia data.

Mambakkam discloses a field operable stand-alone apparatus for recovering data from corrupted flash media and regenerated damaged flash media (see Abstract).

Patentability of the Claims Under 35 U.S.C. §103(a)

Independent claim 1 has been amended to recite the limitation "a first recording medium reading portion" and "a second recording medium reading/writing portion". Claim 1 has also been amended to include the limitation "the second recording medium reading/writing portion being coupled to the first recording medium reading portion so as to be able to exchange electronic information". Support for these limitations may be found at least in Figs. 1 and 2, and in claim 1 as originally filed. No new matter has been added.

The phrase "starts reading of the electronic information from the first recording medium by the first recording medium reading portion and writing of the electronic information in the second recording medium by the second recording medium reading/writing portion" added with respect to the operating member in amended claim 1 is supported by at least claim 1 as originally filed. The phrase "the second control means stocks in the cache a plurality of the first commands" in amended claim 1 is supported by at least pg. 11, lines 11-22 of the originally filed specification. The phrase "writes in the second recording medium the electronic information stocked in the cache by executing the plurality of first commands in the order in which they were stocked" in amended claim 1 is supported by at least pg. 11, lines 21-26 and pg. 12, lines 15-16 of the originally filed specification, Fig. 3A and claim 1 as originally filed. Finally, the phrase "a

second command which is different from the first command, and to which the second control means responds with a predetermined command" in amended claim 1 is supported by pg. 15 lines 5-7 of the originally filed specification. In view of the foregoing, no new matter has been added by way of the above amendments.

The Examiner (pgs. 4-6, paragraph 6 of the Office Action) contends:

> Sono substantially disclosed ... said first control means transmits a second command different from the first command after transmitting all pieces of electronic information to be recorded to said second control means (see Fig. 6, and col. 7, lines 7-40), and said first control means determines that transfer of the pieces of electronic information from the first recording medium to the second recording medium has completed when a response to the second command is sent back from said second control means (see col. 9, lines 9-15).

With respect to the foregoing, *Sono* (col. 7, lines 7-40; Fig. 6) teaches the transfer of only main data, such as motion picture, still image and sound of multimedia data, from a digital camera I/O interface or an optical disk to the hard drive disk (HDD). However, the cited section of *Sono* fails to teach or suggest the transfer of any sort of <u>command</u>. Furthermore, *Sono* fails to teach or suggest anything with respect to <u>a second command</u> which is different from the first command in the response portion. Consequently, *Sono* fails to teach or suggest that "[a] first control means transmits <u>a second command</u> which is different from [a] <u>first command,</u> and to which [a] second control means responds with <u>a predetermined command,</u> after transmitting all electronic information to be written in [a] second recording medium to the second control means" as recited in amended independent claim 1.

Sono (col. 9, lines 9-15) states, "[i]n the background process, the process may return to the event loop after a predetermined time period even if the data transfer or the securing of the empty area of the HDD 4 has not been fully completed. Thus, when the event occurs during the background process, the event process may be conducted without waiting for longer than the

12

predetermined time period". Thus, *Sono* teaches the performance of an event without waiting for longer than a predetermined time period. However, there is nothing in this section of *Sono* with respect to the performance of a command in the manner set forth in amended claim 1. That is, *Sono* fails to teach or suggest the claimed relationship between the second command that is sent back from a second control means and the determination of whether the transfer of the electronic information has been completed. In fact, *Sono* fails to provide the slightest hint of this claimed relationship. In view of the foregoing, *Sono* fails to teach or suggest that "the first control means determines that transfer of the electronic information from the first recording medium to the second recording medium has been completed when a response to the second command is sent back from the second control means to the first control means" as recited in amended independent claim 1.

If it is still the Examiner's belief that the above-discussed features of amended independent claim 1 are disclosed in *Sono*, then Applicants respectfully request that the Examiner provide a detailed, clear explanation of what portions of *Sono* disclose each feature recited in claim 1.

The Examiner cites *Mambakkam* in an attempt to cure the shortcomings of *Sono*. However, the combination of *Sono* and *Mambakkam* fails to achieve the claimed invention, since *Mambakkam* also fails to teach or suggest the above-discussed features as recited in amended independent claim 1. *Mambakkam* dteaches nothing discloses a way for users to recover data from and/or regenerate damaged flash media without requiring the use of a computer. Therefore, even the combination of *Sono* and *Mambakkam* fails to render claim 1 obvious. Withdrawal of the rejection under 35 U.S.C. §103(a) is in order, and a notice to that effect is respectfully requested.

Dependent claims

In view of the patentability of independent claim 1 for the reasons presented above, each of dependent claims 2-8, as well as new dependent claim 9 is patentable therewith over the prior art. Moreover, each of these claims includes features that serve to even more clearly distinguish the invention over the applied references.
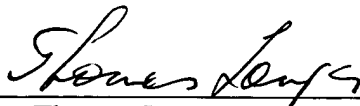
Conclusion

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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